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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,702	02/21/2002	Takashi Fukui	Q67120	6242
7590	01/21/2004			EXAMINER EVANISKO, LESLIE J
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC Suite 800 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			ART UNIT 2854	PAPER NUMBER

DATE MAILED: 01/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/078,702	FUKUI, TAKASHI
	Examiner	Art Unit
	Leslie J. Evanisko	2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 31 October 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,2,8-10,12,13,19 and 21 is/are rejected.

7) Claim(s) 3-7,11,14-18 and 20 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 21 February 2002 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____

DETAILED ACTION

Claim Objections

1. Claims 9, 16, and 20 are objected to because of the following informalities:

With respect to claim 9, the claim language is somewhat inconsistent with the preamble of the parent claim since it essentially makes the claim into a combination of the rotor and printing plate. Therefore, it is suggested that the claim be amended to use language such as the following: --The rotor of claim 1 in combination with a printing plate, the printing plate being wound and fixed around the rotor.--

With respect to claim 16, the term “sheet members” in line 3 has no proper antecedent basis since only --printing plates-- were previously recited in the claims. To correct this problem, it is suggested that the term “sheet members” be deleted and replaced with --printing plates--. Note that a similar problem occurs with the terms “sheet member” in claim 20.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 8-10, 12-13, 19, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue et al. (JP 2000-112141). Inoue et al. teach a rotor **1** around which a sheet member **2** is wound and fixed comprising a rotor body including an axis of rotation and a peripheral surface, a chuck device for pressing the leading and trailing edges of the sheet member against the peripheral surface, the chuck device including a first chuck **4, 40** and a second chuck **5, 50** and having a first mode, in which the first chuck is attached to the rotor body and the second chuck is apart from the rotor body, and a second mode in which both the first and second chucks are attached to the rotor body, a main balancer **8** attached to the rotor body and having a first relative positional relation with the first chuck, a sub-balancer **7, 21** attached to the rotor body and having a second relative positional relation with the second chuck in the second mode. Note the main balancer and the sub-balancer of Inoue et al. would inherently increase the unbalance of the rotor in the first mode and reduce the unbalance of the rotor in the second mode. See the partial English language translation attached to this Office Action and the

embodiments shown in Figures 1, 3-4, 7-11, and 20(a)-24(b) of Inoue et al. in particular.

With respect to claims 2 and 13, note the main balancer **8** has a constant relative angle around the axis of rotation with respect to the first chuck **4, 40**.

With respect to claims 8 and 19, note the first chuck **4, 40** is a leading edge chuck and the second chuck **5, 50** is a trailing edge chuck as recited. See the English language translation in particular.

With respect to claims 9-10, note the sheet member **2** is a printing plate and the rotor **1** is a drum for fixing the sheet member at the time the sheet member is scan exposed, as set forth in the English language translation.

With respect to claim 12, note Inoue et al. teach an apparatus comprising a drum **1**, a section for feeding the printing plate to the drum (i.e. conveying section **900**), a section for rotating the drum (i.e., rotation driving device **200**), a section for recording an image onto the plate (i.e., recording head **120**), and a section for detaching the plate from the drum (i.e., first and second driving devices **320, 324**) as recited. Again, note the English language translation and Figure 10 in particular.

With respect to claim 21, note that the sub-balancer **7, 21** can be considered to have a predetermined constant second relative positional relation with the second chuck **5, 50** in the second mode, as broadly recited.

4. Claims 1-2, 8-10, 12-13, 19 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Inoue et al. (US 6,505,142 B1). Inoue et al. teach a rotor **1** around which a sheet member **2** is wound and fixed comprising a rotor body including an axis of rotation and a peripheral surface, a chuck device for pressing the leading and trailing edges of the sheet member against the peripheral surface, the chuck device including a first chuck **4, 40** and a second chuck **5, 50** and having a first mode, in which the first chuck is attached to the rotor body and the second chuck is apart from the rotor body, and a second mode in which both the first and second chucks are attached to the rotor body, a main balancer **8** attached to the rotor body and having a first relative positional relation with the first chuck, a sub-balancer **7, 21** attached to the rotor body and having a second relative positional relation with the second chuck in the second mode. Note the main balancer and the sub-balancer of Inoue et al. would inherently increase the unbalance of the rotor in the first mode and reduce the unbalance of the rotor in the second mode. See column 17, lines 48-53 and the embodiments shown in Figures 1, 3-4, 7-11, 20(a)-24(b), 28, 30-31, and 34-36(b) of Inoue et al. in particular.

With respect to claims 2 and 13, note the main balancer **8** has a constant relative angle around the axis of rotation with respect to the first chuck **4, 40**.

With respect to claims 8 and 19, note the first chuck **4, 40** is a leading edge chuck and the second chuck **5, 50** is a trailing edge chuck as recited. See column 20, lines 18-64 in particular.

With respect to claims 9-10, note the sheet member **2** is a printing plate and the rotor **1** is a drum for fixing the sheet member at the time the sheet member is scan exposed, as set forth in column 1, lines 6-10.

With respect to claim 12, note Inoue et al. teach an apparatus comprising a drum **1**, a section for feeding the printing plate to the drum (i.e. conveying section **900**), a section for rotating the drum (i.e., rotation driving device **200**), a section for recording an image onto the plate (i.e., recording head **120**), and a section for detaching the plate from the drum (i.e., first and second driving devices **320, 324**) as recited. Again, note columns 17-20 and Figure 10 in particular.

With respect to claim 21, note that the sub-balancer **7, 21** can be considered to have a predetermined constant second relative positional relation with the second chuck **5, 50** in the second mode, as broadly recited.

Allowable Subject Matter

5. Claims 3-7, 11, 14-18 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 3-7 and 14-18, the prior art of record fails to teach or fairly suggest an apparatus including a rotor having all of the structure as recited, in combination with and particularly including, a chuck holder swingable around the axis of rotation of the rotor body and the second chuck being attachable to the rotor body via the chuck holder.

With respect to claims 11 and 20, the prior art of record fails to teach or fairly suggest an apparatus including a rotor having all of the structure as recited, in combination with and particularly including, an urging structure for urging the second chuck to pull the sheet member along a circumferential direction of the rotor body when the sheet member is pressed by the second chuck.

Response to Arguments

7. Applicant's arguments filed October 31, 2003 have been fully considered but they are not persuasive of any error in the above rejections.

Please note that since JP '141 appears to be a related foreign application of US '142 (as applicant also notes in page 12 of the amendment), the majority of the following response to arguments is geared to pointing out specific language in the US reference since it is in the English language. It is the

Examiner's position that JP '141 includes similar teachings, although not specifically pointed out by the Examiner.

In particular, applicant argues that neither JP '141 nor US '142 teach a sub-balancer attached to the rotor body and having a second positional relation with the second chuck in the second mode. Applicant then goes on to argue how the second positional relation includes a set angle to uniformly correct the balance within the whole area of movement range of the second chuck and in contrast, the prior art requires that the weight and position of the balance is adjusted each time the size of the printing plate is changed.

The Examiner is not persuaded by these arguments for several reasons. Firstly, the Examiner points out that US '142 (as well as JP '141) teach a mounting arrangement including a sub-balancer (i.e., weights 7, 21) which have a second positional relation with the second chuck in the second mode (where both chucks are attached to the drum). See, for example, column 17, lines 3-11 of US '142. Note that US '142 teaches a rotor including two clamps, a first chuck (i.e., fixed clamp 4, 40) and a second chuck (i.e., movable clamp 5, 50) which is completely removable from the drum. Furthermore, US '142 teaches a balancing arrangement in which a main balancer 8 is attached to the rotor body and has a first relative position with respect to the fixed clamp 4, 40. The sub-balancer 7, 21 consists of weights 7, 21 attached to the drum and movable with respect to the drum to balance the forces developed by the plate and the movable clamp 5, 50 as set forth in column 15, lines 41-46 of US '142.

The sub-balancer therefore has a positional relation with respect to the movable clamp when the movable clamp is attached to the drum as recited. Thus, it is the Examiner's position that both US '142 and JP '141 teach the relationship recited. Applicant's additional arguments regarding the specific details of the second positional relation are moot since the claim language does not specifically define this position, and therefore the claim merely requires a broad positional relation, which the prior art teaches. Furthermore, the fact that the balance mechanisms in the prior art have to be adjusted each time the size of the printing plate is changed is also not persuasive because the claim language again does not require for the rotor to include balancing mechanisms that allow the rotor to be balanced over a range of different chuck positions as argued.

Additionally, applicant argues that JP '141 and US '142 do not state that the movable clamp is ever apart from the recording drum and therefore do not teach the first and second modes as recited. However, the Examiner disagrees with this argument and points to column 17, lines 48-53 of US '142 and paragraph 0107 in the partial English language translation of JP '141 in particular, which clearly states that the rear end clamps 5, 50 are attached to and detached from the printing drum, which inherently provides the two different operation modes (i.e., one mode with both clamps attached and one mode with only one clamp attached) as recited.

Furthermore, applicant argues that neither JP '141 nor US '142 teach any unbalance of the rotor in the first mode. In particular, applicant argues that both JP '141 and US '142 teach that the fixed clamp is balanced by the member 8 and therefore there would be no unbalance of the rotor in the first mode. However, the Examiner disagrees with this argument. In particular, in the first mode, when the second clamp is not attached to the drum, the drum would still have the fixed clamp 4, 40, the fixing clamp balancing member 8, and the balance weights 7, 21 attached to it. Since US '142 and JP '141 teach the fixed clamp is balanced by the balancing member 8 as applicant points out, the two balance weights 7, 21 also attached to the drum would inherently increase the unbalance of the drum since the movable clamp 5, 50 (which they are intended to at least partially balance with) is not mounted on the drum in the first mode. Therefore, the Examiner disagrees with this argument.

In view of the above reasoning, the Examiner is not persuaded of any error in her rejections.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Siebolds et al. (US 6,640,704) teach a device for balancing a rotating body having obvious similarities to the claimed subject matter.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(703) 308-0786**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or

proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Leslie J. Evanisko
Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
January 12, 2004